



Sen. Toi W. Hutchinson

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09900SB1547sam002

LRB099 10920 AWJ 32761 a

1 AMENDMENT TO SENATE BILL 1547

2 AMENDMENT NO. _____. Amend Senate Bill 1547 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by adding Section
5 5-1005.10 as follows:

6 (55 ILCS 5/5-1005.10 new)

7 Sec. 5-1005.10. Ordinances penalizing tenants who contact
8 police or other emergency services prohibited.

9 (a) Definitions. As used in this Section:

10 "Contact" includes any communication made by a tenant,
11 landlord, guest, neighbor, or other individual to police or
12 other emergency services.

13 "Criminal activity" means a violation of the Criminal Code
14 of 2012, of the Cannabis Control Act, of the Illinois
15 Controlled Substances Act, or of the Methamphetamine Control
16 and Community Protection Act.

1 "Domestic violence", "landlord", "sexual violence", and
2 "tenant" have the meanings provided under Section 10 of the
3 Safe Homes Act.

4 "Dwelling unit" has the meaning provided under subsection
5 (a) of Section 15 of the Landlord and Tenant Act.

6 "Emergency situation" means a threat of, or events causing,
7 physical harm or death to a person or damage or destruction to
8 property.

9 "Penalizes" includes, but is not limited to:

10 (1) assessment of fees or fines;

11 (2) revocation, suspension, or nonrenewal of any
12 license or permit required for the rental or occupancy of
13 any dwelling unit;

14 (3) termination or denial of a subsidized housing
15 contract or housing subsidy; and

16 (4) termination or nonrenewal of a residential lease
17 agreement.

18 "Subsidized housing" has the meaning provided under
19 subsection (a) of Section 9-119 of the Code of Civil Procedure.

20 (b) Protection.

21 (1) No county shall enact or enforce an ordinance or
22 regulation that penalizes tenants or landlords based on:

23 (A) contact made to police or other emergency
24 services, if (i) the contact was made with the intent
25 to prevent or respond to domestic violence, sexual
26 violence, or any non-criminal emergency situation;

1 (ii) the intervention or emergency assistance was
2 needed to respond to or prevent domestic violence,
3 sexual violence, or a non-criminal emergency
4 situation; or (iii) the contact was made by, on behalf
5 of, or otherwise concerns an individual with a
6 disability and the purpose of the contact was related
7 to that individual's disability;

8 (B) an incident or incidents of actual or
9 threatened domestic violence or sexual violence
10 against a tenant, household member, or guest occurring
11 in the dwelling unit or on the premises; or

12 (C) criminal activity or a local ordinance
13 violation occurring in the dwelling unit or on the
14 premises that is directly relating to domestic
15 violence or sexual violence, engaged in by a tenant,
16 member of a tenant's household, guest, or other party,
17 and against a tenant, household member, guest, or other
18 party.

19 (2) Nothing with respect to this Section: (A) limits
20 enforcement of Section 15.2 of the Emergency Telephone
21 System Act, Article 26 of the Criminal Code of 2012, or
22 Article IX of the Code of Civil Procedure; (B) prohibits
23 counties from enacting or enforcing ordinances to penalize
24 landlords or tenants on the basis of the underlying
25 criminal activity or a local ordinance violation not
26 covered by paragraph (1) of subsection (b) of this Section

1 and to the extent otherwise permitted by State and federal
2 law; or (C) limits or prohibits the eviction of or
3 imposition of penalties against the perpetrator of the
4 domestic violence, sexual violence, or other criminal
5 activity.

6 (c) Remedies. If a county enacts or enforces an ordinance
7 or regulation against a tenant or landlord in violation of
8 subsection (b), the tenant or landlord may bring a civil action
9 to seek any one or more of the following remedies:

10 (1) an order invalidating the ordinance or regulation
11 to the extent required to bring the ordinance or regulation
12 into compliance with the requirements of subsection (b);

13 (2) compensatory damages;

14 (3) reasonable attorney fees and court costs; or

15 (4) other equitable relief as the court may deem
16 appropriate and just.

17 (d) Home rule. This Section is a denial and limitation of
18 home rule powers and functions under subsection (g) of Section
19 6 of Article VII of the Illinois Constitution.

20 Section 10. The Township Code is amended by adding Section
21 85-56 as follows:

22 (60 ILCS 1/85-56 new)

23 Sec. 85-56. Ordinances penalizing tenants who contact
24 police or other emergency services prohibited.

1 (a) Definitions. As used in this Section:

2 "Contact" includes any communication made by a tenant,
3 landlord, guest, neighbor, or other individual to police or
4 other emergency services.

5 "Criminal activity" means a violation of the Criminal Code
6 of 2012, of the Cannabis Control Act, of the Illinois
7 Controlled Substances Act, or of the Methamphetamine Control
8 and Community Protection Act.

9 "Domestic violence", "landlord", "sexual violence", and
10 "tenant", have the meanings provided under Section 10 of the
11 Safe Homes Act.

12 "Dwelling unit" has the meaning provided under subsection
13 (a) of Section 15 of the Landlord and Tenant Act.

14 "Emergency situation" means a threat of, or events causing,
15 physical harm or death to a person or damage or destruction to
16 property.

17 "Penalizes" includes, but is not limited to:

18 (1) assessment of fees or fines;

19 (2) revocation, suspension, or nonrenewal of any
20 license or permit required for the rental or occupancy of
21 any dwelling unit;

22 (3) termination or denial of a subsidized housing
23 contract or housing subsidy; and

24 (4) termination or nonrenewal of a residential lease
25 agreement.

26 "Subsidized housing" has the meaning provided under

1 subsection (a) of Section 9-119 of the Code of Civil Procedure.

2 (b) Protection.

3 (1) No township shall enact or enforce an ordinance or
4 regulation that penalizes tenants or landlords based on:

5 (A) contact made to police or other emergency
6 services, if (i) the contact was made with the intent
7 to prevent or respond to domestic violence, sexual
8 violence, or any non-criminal emergency situation;
9 (ii) the intervention or emergency assistance was
10 needed to respond to or prevent domestic violence,
11 sexual violence, or a non-criminal emergency
12 situation; or (iii) the contact was made by, on behalf
13 of, or otherwise concerns an individual with a
14 disability and the purpose of the contact was related
15 to that individual's disability;

16 (B) an incident or incidents of actual or
17 threatened domestic violence or sexual violence
18 against a tenant, household member, or guest occurring
19 in the dwelling unit or on the premises; or

20 (C) criminal activity or a local ordinance
21 violation occurring in the dwelling unit or on the
22 premises that is directly relating to domestic
23 violence or sexual violence, engaged in by a tenant,
24 member of a tenant's household, guest, or other party,
25 and against a tenant, household member, guest, or other
26 party.

1 (2) Nothing with respect to this Section: (A) limits
2 enforcement of Section 15.2 of the Emergency Telephone
3 System Act, Article 26 of the Criminal Code of 2012, or
4 Article IX of the Code of Civil Procedure; (B) prohibits
5 townships from enacting or enforcing ordinances to
6 penalize landlords or tenants on the basis of the
7 underlying criminal activity or a local ordinance
8 violation not covered by paragraph (1) of subsection (b) of
9 this Section and to the extent otherwise permitted by State
10 and federal law; or (C) limits or prohibits the eviction of
11 or imposition of penalties against the perpetrator of the
12 domestic violence, sexual violence, or other criminal
13 activity.

14 (c) Remedies. If a township enacts or enforces an ordinance
15 or regulation against a tenant or landlord in violation of
16 subsection (b), the tenant or landlord may bring a civil action
17 to seek any one or more of the following remedies:

18 (1) an order invalidating the ordinance or regulation
19 to the extent required to bring the ordinance or regulation
20 into compliance with the requirements of subsection (b);

21 (2) compensatory damages;

22 (3) reasonable attorney fees and court costs; or

23 (4) other equitable relief as the court may deem
24 appropriate and just.

25 Section 15. The Illinois Municipal Code is amended by

1 adding Section 1-2-1.5 as follows:

2 (65 ILCS 5/1-2-1.5 new)

3 Sec. 1-2-1.5. Ordinances penalizing tenants who contact
4 police or other emergency services prohibited.

5 (a) Definitions. As used in this Section:

6 "Contact" includes any communication made by a tenant,
7 landlord, guest, neighbor, or other individual to police or
8 other emergency services.

9 "Criminal activity" means a violation of the Criminal Code
10 of 2012, of the Cannabis Control Act, of the Illinois
11 Controlled Substances Act, or of the Methamphetamine Control
12 and Community Protection Act.

13 "Domestic violence", "landlord", "sexual violence", and
14 "tenant" have the meanings provided under Section 10 of the
15 Safe Homes Act.

16 " Dwelling unit" has the meaning provided under subsection
17 (a) of Section 15 of the Landlord and Tenant Act.

18 "Emergency situation" means a threat of, or events causing,
19 physical harm or death to a person or damage or destruction to
20 property.

21 "Penalizes" includes, but is not limited to:

22 (1) assessment of fees or fines;

23 (2) revocation, suspension, or nonrenewal of any
24 license or permit required for the rental or occupancy of
25 any dwelling unit;

1 (3) termination or denial of a subsidized housing
2 contract or housing subsidy; and

3 (4) termination or nonrenewal of a residential lease
4 agreement.

5 "Subsidized housing" has the meaning provided under
6 subsection (a) of Section 9-119 of the Code of Civil Procedure.

7 (b) Protection.

8 (1) No municipality shall enact or enforce an ordinance
9 or regulation that penalizes tenants or landlords based on:

10 (A) contact made to police or other emergency
11 services, if (i) the contact was made with the intent
12 to prevent or respond to domestic violence, sexual
13 violence, or any non-criminal emergency situation;
14 (ii) the intervention or emergency assistance was
15 needed to respond to or prevent domestic violence,
16 sexual violence, or a non-criminal emergency
17 situation; or (iii) the contact was made by, on behalf
18 of, or otherwise concerns an individual with a
19 disability and the purpose of the contact was related
20 to that individual's disability;

21 (B) an incident or incidents of actual or
22 threatened domestic violence or sexual violence
23 against a tenant, household member, or guest occurring
24 in the dwelling unit or on the premises; or

25 (C) criminal activity or a local ordinance
26 violation occurring in the dwelling unit or on the

1 premises that is directly relating to domestic
2 violence or sexual violence, engaged in by a tenant,
3 member of a tenant's household, guest, or other party,
4 and against a tenant, household member, guest, or other
5 party.

6 (2) Nothing with respect to this Section: (A) limits
7 enforcement of Section 15.2 of the Emergency Telephone
8 System Act, Article 26 of the Criminal Code of 2012, or
9 Article IX of the Code of Civil Procedure; (B) prohibits
10 municipalities from enacting or enforcing ordinances to
11 penalize landlords or tenants on the basis of the
12 underlying criminal activity or a local ordinance
13 violation not covered by paragraph (1) of subsection (b) of
14 this Section and to the extent otherwise permitted by State
15 and federal law; or (C) limits or prohibits the eviction of
16 or imposition of penalties against the perpetrator of the
17 domestic violence, sexual violence, or other criminal
18 activity.

19 (c) Remedies. If a municipality enacts or enforces an
20 ordinance or regulation against a tenant or landlord in
21 violation of subsection (b), the tenant or landlord may bring a
22 civil action to seek any one or more of the following remedies:

23 (1) an order invalidating the ordinance or regulation
24 to the extent required to bring the ordinance or regulation
25 into compliance with the requirements of subsection (b);

26 (2) compensatory damages;

1 (3) reasonable attorney fees and court costs; or
2 (4) other equitable relief as the court may deem
3 appropriate and just.

4 (d) Home rule. This Section is a denial and limitation of
5 home rule powers and functions under subsection (g) of Section
6 6 of Article VII of the Illinois Constitution.

7 Section 99. Effective date. This Act takes effect 90 days
8 after becoming law."